

**MINUTES OF THE PLANNING BOARD MEETING
HELD ON MARCH 27, 2012, AT 7:30 P.M. AT THE MUNICIPAL BUILDING,
1 HEINEMAN PLACE, HARRISON, NY**

MEMBERS PRESENT

*Thomas Heaslip, Chairman
Anthony Spano
Mark Rinaldi
Raymond Kraus
Nonie Reich
Marshall Donat
Kate Barnwell*

MEMBERS ABSENT

Patrick Cleary, Planning Consultant to the Board, Mike Amodeo, Town Engineer and Frank Balbi, Assistant Civil Engineer were present tonight.

The Chairman opened the meeting with the Pledge of Allegiance.

COMMITTEE REPORTS

- **WOODFORD SUBDIVISION – STEEP SLOPE** – 7 Harrison Street, Block 821, Lot 35 – Steep Slope 1 Year Extension

Motion to grant an extension made by Raymond Kraus, seconded by Mark Rinaldi. Vote carried 6-0.

- **Adopt minutes from February 28, 2012**

Motion to adopt February 28, 2012 minutes subject to Board members review of corrected version posted on 3/27/12 made by Raymond Kraus, seconded by Anthony Spano. Vote carried 6-0.

- **FORDHAM UNIVERSITY** – 400 Westchester Avenue, Block 631, Lot 13 – Bond Release and Establish Maintenance Bond

Motion to release the performance bond in the amount of \$100,000.00 and establish a 2-year maintenance bond in the amount of \$25,000.00 made by Kate Barnwell, seconded by Mark Rinaldi. Vote carried 6-0.

1. **WESTCHESTER COUNTRY CLUB – SITE PLAN** – Squash Court Addition & New Golf Training Center – 99 Biltmore Avenue, Block 566, Lot 1 – Site Plan Review, Special Exception Use Permit, SEQR Review, **Public Hearing**

David Steinmetz from Zarin & Steinmetz appeared before the Board along with Ken Nadler the Architect on behalf of the applicant

After a discussion regarding the posting of the sign the Board decided not to hear the application. Board members concluded that the sign posting was not in compliance with Town Code and did not approve adequate notice to neighbors.

The Public Hearing was adjourned to the April 24th meeting.

2. **DIPAOLLO SUBDIVISION** – 79 Westerleigh Road, Block 611, Lot 21 (2 Lots) – Preliminary Plat Review, SEQR Review, **Public Hearing**

Seth Mandelbaum, Esq. with McCullough Goldberger & Staudt appeared before the Board on behalf of the applicant.

Nonie Reich recused herself from the application.

Motion to open the Public Hearing made by Kate Barnwell, seconded by Raymond Kraus. Vote carried 6-0.

A discussion took place regarding drainage and grading problems in the neighborhood by a neighbor Chris Reich

The applicant will work with the Towns wetland consultant and the engineering department.

Public Haring adjourned to April 24, 2012 made by Raymond Kraus, seconded by Mark Rinaldi. Vote carried 6-0.

3. **CAPUTO RESIDENCE – WETLAND PERMIT** – 500 West Street, Block 301, Lot 22 – Wetland Permit Review

Robert Caputo appeared before the Board and noted that he did receive the wetland consultant's memo.

A discussion took place regarding a landscape plan to be submitted at the request of the Towns wetland consultant.

Mr. Caputo will return with a landscape plan for the Board and wetland consultant to review.

4. **FRENCH SUBDIVISION** – Sunnyridge Road, Block 444, Lot 5 (6 Lot SD) – Final Subdivision Plat Review, SEQR Review

Seth Mandelbaum, Esq. with McCullough Goldberger & Staudt appeared before the Board on behalf of the applicant

A discussion took place regarding some issues that still exist with the engineering department.

Given the amount of time that has elapsed since the preliminary plat approval and the open engineering issues the Board decided to have a public hearing before proceeding to vote on final plat approval.

Motion to schedule a Public Hearing for May 22, 2012 made by Raymond Kraus, seconded by Marshall Donat. Vote carried 7-0.

5. **MARINO BUILDING – SITE PLAN** – 47 Oak Street, Block 91, Lot 31(31-32) – Site Plan Review, SEQR Review

Steve Marchesani, Architect appeared before the Board on behalf of the applicant to legalize a one-bedroom apartment that has existed since the 1960's.

A discussion took place regarding the cost of the removal of 300 cubic feet and what has to be done to create on-site parking as required to legalize the existing apartment.

The applicant was directed by the Board to return with an engineering report on the feasibility and cost to create the needed parking.

6. **HOCHBERG SUBDIVISION** – 25 Highfield Road, Block 232, Lot 30 (PO 2 & 35) – Sketch Plan Review, SEQR Review

Chuck Utschig of Birdsall Engineering appeared before the Board on behalf of the applicant to present the alternative plans that they submitted.

A discussion regarding a common driveway as opposed to a private roadway and what the Town would prefer and the variances that would be needed. A deed restriction on the larger lot was also discussed. Road frontage and flag lot consideration were discussed.

The Board indicated to Mr. Utschig that the “common driveway plan” is preferred, based on the recommendations of engineering and planning staff.

Motion to schedule a Public Hearing for April 24, 2012 for a subdivision with a common driveway made by Raymond Kraus, seconded by Marshall Donat. Vote carried 7-0.

7. **COLE SUBDIVISION** – 33 Stratford Road, Block 518, Lot 19 (2 Lots) – Site Plan Review, SEQR Review

Nonie Reich recused herself.

Chuck Utschig of Birdsell Engineering appeared before the Board on behalf of the applicant to provide addition information on the two lot subdivision.

A discussion took place regarding the location of the proposed driveway as well as improving the existing roadway with land that the applicant is willing to dedicate to the Town. Screening for the new home and drainage issues were also discussed. Mr. Utschig indicated that the applicant is willing to install screening plantings and to make improvements to the catch basin located just off the subject property as part of the site's overall stormwater management plan.

Motion to schedule a Public Hearing for April 24, 2012 made by Raymond Kraus, seconded by Mark Rinaldi. Vote carried 6-0.

8. **PASSARELLA SUBDIVISION** – 8 Woodland Road, Block 1033, Lot 2 (2 thru 5), Sketch Plan Review, SEQR Review

Denise Passarella the owner appeared before the Board along with Alan Bonistall. The applicant owns a home and land along Woodland Road that was once a four lot subdivision. Before the applicant's ownership the assessor merged the lots. The applicant stated that she was before the Board to find out how she could sell part of her land to her neighbor for his play set that already exists on her property and how to get the four lot subdivision back.

The Board discussed road frontage the currently unimproved road and the subdivision requirements in the town code.

The applicant noted that the lots would not be built on and only one would be sold to a neighbor.

A discussion took place about the merging of the lots and why the assessor may have merged them.

Planning staff described the various alternatives available to the applicant for selling a portion of her property to an adjoining neighbor. The Board discussed apportionment as opposed to the subdivision and the work that would have to be done before the property is subdivided. The possibility of involving a contract vendee was also discussed.

The applicant will return to the Board when she has identified which alternative she was to pursue.

9. **283 HARRISON AVENUE SUBDIVISION** – 283 Harrison Avenue, Block 242, Lot 36 (33-35-36-37) – Sketch Plan Review, SEQR Review

Chandanie Persaud the owner appeared before the Board and noted that she was approached by the library about purchasing the land and is before the Board for a two lot subdivision.

The Board discussed the problem with the sign being posted incorrectly on the property.

A discussion took place regarding the sale of the property to a bank and the bank donating the land to the Library.

Reapportionment and flag lots were also discussed.

Anthony Spano made a motion to deny the application for sketch plan, seconded Marshall Donat. Vote carried 7-0.

Motion to go into Executive Session on a matter of pending litigation made by Raymond Kraus, seconded by Mark Rinaldi. Vote carried 7-0.

Motion to return from Executive Session made by Raymond Kraus, seconded by Nonie Reich. Vote carried 7-0.

This Meeting was adjourned at 9:45 pm on a motion by Mark Rinaldi, seconded by Raymond Kraus. Vote carried 7-0.

The next regular Board meeting is scheduled for April 24, 2012.

Rosemarie Cusumano, Secretary

Town Clerk's Office